

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LANDON J. BLACKDEER,

Defendant.

8:12CR280

ORDER

Defendant Landon J. Blackdeer (Blackdeer) appeared before the court on June 9, 2014, on the Second Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 63). Blackdeer was represented by Federal Public Defender David R. Stickman and the United States was represented by Assistant U.S. Attorney Kimberly C. Bunjer. Through his counsel, Blackdeer waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and Blackdeer should be held to answer for a final dispositional hearing before Senior Judge Richard G. Kopf.

The government moved for detention. Through counsel, Blackdeer declined to present any evidence or request a hearing on the issue of detention. Since it is Blackdeer's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Blackdeer has failed to carry his burden and that Blackdeer should be detained pending a dispositional hearing before Senior Judge Kopf.

IT IS ORDERED:

1. A final dispositional hearing will be held before Senior Judge Richard G. Kopf in Courtroom No. 1, Fourth Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 9:30 a.m. on July 18, 2014**. Defendant must be present in person.
2. Defendant Landon J. Blackdeer is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and
4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 9th day of June, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge